

### REMARKS

Applicant thanks the Examiner for the very thorough consideration given to this application.

Claims 4-11, 13, 14, and 21-26 are now pending in the application.

Claims 13 and 14 are indicated as being allowable if rewritten in independent form and to overcome the rejections under 35 USC 112, 2<sup>nd</sup> paragraph. Applicant has rewritten claims 13 and 14 in independent form and also changed "at least two walls pivotably coupled along at least two junctures" to "at least two walls pivotably coupled along a juncture". Accordingly, claims 13 and 14 (and all dependent claims therefrom) should be in condition for allowance.

Applicant has also amended rejected dependent claims 4-10 to change their dependency from cancelled claim 1 to claim 13 or 14 (which have been rewritten into an allowable form). Accordingly, claims 4-10 (and all dependents therefrom) should also now be in condition for allowance.

Applicant hereby cancels claims 1-3, 12, and 15-20 without prejudice or disclaimer to the subject matter contained therein for the purposes of expediting prosecution. Applicant, however, does not necessarily acquiesce or agree with the rejections of any of these cancelled claims, and expressly reserves the right to refile any and all of the cancelled claims and contest any rejections or objections thereof in one or more subsequent applications.

The claim amendments have rendered moot all of the examiner's rejections to the claims. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections and issue a notice of full allowance for the application.

### PROVISIONAL NON-STATUTORY DOUBLE PATENTING REJECTION

Claims 1-20 are rejected on the ground of nonstatutory obviousness-type double patenting over as being unpatentable over claims of U.S. Patent Application 10/105,987 and 10/751,005.

#### ***Abandoned U.S. Application No. 10/105,987***

Applicant presumes that the Examiner intended to cite U.S. Patent Application No. 10/105,987 (not 10/108,987). U.S. Patent Application 10/105,987 is abandoned,

thereby mooting the double patenting rejection. This notwithstanding, Applicant nevertheless files simultaneously a Terminal Disclaimer in compliance with 37 CFR 1.321(c) for purposes of expediting prosecution. By filing the Terminal Disclaimer, however, Applicant does not acquiesce or necessarily agree with this double patenting rejection. For the above reasons, the double patenting rejection relating to U.S. Application No. 10/105,987 should be withdrawn.

***Pending U.S. Application No. 10/751,005***

Applicant presumes that the Examiner intended to cite U.S. Patent Application No. 10/751,005 (not 10/751,505). While Applicant does not acquiesce in these double patenting rejections, Applicant nevertheless files simultaneously herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c) for purposes of expediting prosecution. Accordingly, the double patenting rejection relating to U.S. Patent Application No. 10/751,005 should be withdrawn.

**REJECTION UNDER 35 U.S.C. § 112**

Claims 1-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The cancellation of claims 1-3, 12, and 15-20 without prejudice, and amendments to claims 13 and 14 has rendered moot the Section 112 rejection. Claims 13 and 14 have been rewritten into independent form and with "at least two walls pivotably coupled along at least two junctures" being changed to "at least two walls pivotably coupled along a juncture". Accordingly, claims 13 and 14 (and all dependent claims therefrom) should be in condition for allowance.

**REJECTION UNDER 35 U.S.C. § 102**

***Claims 1-3 and 6-11***

Claims 1-3 and 6-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Drawbaugh (U.S. Pat. No. 676,393). This rejection is respectfully traversed.

The claim amendments have rendered moot the examiner's rejections to claims 1-3 and 6-11. More specifically, claims 1-3 have been cancelled. Plus, rejected dependent claims 6-10 now depend from allowable claim 13. Accordingly, claims 6-10 (and all dependents therefrom) should also now be in condition for allowance.

***Claims 1, 2, 6-12, 15, 17, and 18***

Claims 1, 2, 6-12, 15, 17, and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Beecher (U.S. Pat. No. 696,928). This rejection is respectfully traversed.

The claim amendments have rendered moot the examiner's rejections to claims 1, 2, 6-12, 15, 17, and 18. More specifically, claims 1, 2, 12, 15, 17, and 18 have been cancelled. Plus, rejected dependent claims 6-11 now depend from allowable claim 13. Accordingly, claims 6-11 (and all dependents therefrom) should also now be in condition for allowance.

**REJECTION UNDER 35 U.S.C. § 103**

***Claim 16***

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Beecher (U.S. Pat. No. 696,928). This rejection is respectfully traversed.

The cancellation of claim 16 has rendered moot the examiner's rejection to claim 16.

***Claims 1, 3-11, 15-17, 19, and 20***

Claims 1, 3-11, 15-17, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dreyspring (U.S. Pat. No. 21748) in view of Tahl (U.S. Pat. No. 331,568). This rejection is respectfully traversed.

The claim amendments have rendered moot the examiner's rejections to claims 1, 2, 6-12, 15, 17, and 18. More specifically, claims 1, 2, 12, 15-17, 19, and 20 have been cancelled. Plus, rejected dependent claims 4-11 now depend from allowable claim 13 or 14. Accordingly, claims 4-11 (and all dependents therefrom) should also now be in condition for allowance.

***Claims 1, 3-7, 9-11, 15-17, 19, and 20***

Claims 1, 3-7, 9-11, 15-17, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Haas (U.S. Pat. No. 616,869) in view of Kane (U.S. Pat. No. 692,301). This rejection is respectfully traversed.

The claim amendments have rendered moot the examiner's rejections to claims 1, 3-7, 9-11, 15-17, 19, and 20. More specifically, claims 1, 3, 15-17, 19, and 20 have been cancelled. Plus, rejected dependent claims 4-7 and 9-11 now depend from allowable claim 13 or 14. Accordingly, claims 4-7 and 9-11 (and all dependents therefrom) should also now be in condition for allowance.

**ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 13 and 14 would be allowable if rewritten in independent form and to overcome the rejections under Section 112, 2<sup>nd</sup> paragraph. Accordingly, Applicant has rewritten claims 13 and 14 to independent form and also changed "at least two walls pivotably coupled along at least two junctures" to "at least two walls pivotably coupled along a juncture". Accordingly, claims 13 and 14 (and all dependent claims therefrom) should be in condition for allowance.

**NEW CLAIMS**

New claims 21 through 26 are supported by the application as originally filed, such that no new matter is introduced by the addition of these claims. Claims 21 through 26 ultimately depend from allowable claim 14. Accordingly, Applicant respectfully submits that claims 21 through 26 are each in condition for allowance at least because of their dependence from an allowable claim.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7502.

Applicant believes that the appropriate fee has been included with this filing. If, however, Applicant owes any additional fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

Respectfully submitted,

Dated: June 7, 2006

By: 

Anthony G. Fussner  
Reg. No. 47,582

Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, Missouri 63105  
(314) 726-7500

AGF/dmkd